

# **Exhibit A**

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TIME: 12:05 P  
DATE: 10/30/18  
SERVER: RP  
ID #: 1074

KENDRIX CANTIVE,

Plaintiff,

vs.

**DIVERSIFIED CONSULTANTS INC.,**


Defendant.

X  
: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: HUDSON COUNTY  
: DOCKET NO.: **HUD-L-3540-18**  
:  
: CIVIL ACTION  
:  
: **SUMMONS**  
:  
: X

To the above-named Defendant:

**YOU ARE HEREBY SUMMONED** to answer the Complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within thirty-five (35) days after the service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief as demanded in the complaint. The nature of this action is a violation of the FDCPA. The relief sought is damages. Upon your failure to appear, judgment will be taken against you by default together with the costs of this action.

Dated: October 22, 2018

  
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TO: DIVERSIFIED CONSULTANTS INC.  
10550 Deerwood Park Boulevard, Suite 309  
Jacksonville, Florida 32256

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KENDRIX CANTIVE,	) SUPERIOR COURT OF NEW JERSEY
Plaintiff,	) HUDSON COUNTY
	) LAW DIVISION
vs.	)
	)
DIVERSIFIED CONSULTANTS INC.,	) Case No.:
	)
Defendant.	)
	) COMPLAINT
	)

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Plaintiff, Kendrix Cantive, alleges:

**PRELIMINARY STATEMENT**

1. This is an action for damages arising from Defendant's violations of the Fair Debt Collections Practices Act, 15 U.S.C. §1692 *et seq.* (hereinafter "FDCPA").

**JURISDICTION AND VENUE**

2. Plaintiff is a New Jersey resident, and the cause of action arose in New Jersey. As such, this Court has jurisdiction and venue over this action pursuant to R. 6:1-3.

**PARTIES**

3. Plaintiff is a natural person, who at all relevant times has resided in Jersey City, New Jersey and is a "consumer" as the phrase is defined and applied under 15 U.S.C. §1692(a) of the FDCPA.

4. Diversified Consultants Inc. ("Defendant") is a corporation doing business in the State of New Jersey, with its corporate headquarters located at 10550 Deerwood Park Boulevard, Suite 309 Jacksonville, Florida 32256 and is a "debt collector" as the phrase is defined and applied under 15 U.S.C. §1692(a) of the FDCPA in that they regularly attempt to collect on debts primarily incurred for personal, family or household purposes.

**FACTUAL STATEMENT**

5. On a date better known by Defendant, Plaintiff incurred an alleged debt stemming from personal cellular service from Verizon.
6. On or about October 2017, Defendant sent Plaintiff an initial dunning letter seeking to collect the alleged debt.
7. In fact, Plaintiff had paid the debt to Verizon well prior to July 2018.
8. By sending a collection letter to Plaintiff to collect on the debt, Defendant misrepresented the status of the debt as collectible, when it was already paid.
9. Further, during calls from Defendant concerning the debt, Plaintiff stated that he was not available between 9 am and 5 pm. Despite this, Defendant continued to call Plaintiff during those inconvenient times.

**COUNT I**  
**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**  
**15 U.S.C. §1692 et seq.**

10. Plaintiff repeats the allegations contained in the above paragraphs and incorporates them as if specifically set forth at length herein.
11. Defendant's false and deceptive representations to Plaintiff violate the below provisions of the FDCPA.
12. Section 1692c(a) provides:

**§ 1692c(a). Communication with the consumer generally**

**Without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction, a debt collector may not communicate with a consumer in connection with the collection of any debt:...**

(1) at any unusual time or place or a time or place known or which should be known to be inconvenient to the consumer. In the absence of knowledge of circumstances to the contrary, a debt collector shall assume that the convenient time for communicating with a consumer is after 8 o'clock antemeridian and before 9 o'clock postmeridian, local time at the consumer's location.

13. Section 1692e provides:

**§ 1692e. False or misleading representations**

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . .

(2)(A) The false representation of the character, amount, or legal status of any debt.

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.


WHEREFORE, Plaintiff, Kendrix Cantive, respectfully requests that this Court grant Plaintiff actual and statutory damages, fees, and costs.

**JURY TRIAL DEMAND**

14. Plaintiff demands a jury trial on all issues so triable.

Dated this 7th day of September, 2018.

Respectfully Submitted,

/s/ Daniel Zemel   
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